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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE PROCTER & GAMBLE COMPANY,

Plaintiff,

v.

TEVA PHARMACEUTICALS U.S.A., INC.,

Defendant.

Civil Action No. 04-940 (JJF)

DEFENDANT'S TRIAL EXHIBITS

**Defendant's Trial Exhibit List – The Procter & Gamble Company, v. Teva Pharmaceuticals
USA, Inc.
C.A. No. 04-940**

DTX No.	Date of Doc.	Description	Bates Range	Depo. Ex. No.	Procter & Gamble Objections	
					No Obj	Obj Basis
JTX 2		File Wrapper for US Patent 5,583,122	1 - 249	DX 16	X	
JTX 3	12/21/84	Patent Application Serial No. 06/684543	1 - 82	DX 11	X	
JTX 4		Interference Proceedings for U.S. Patent No. 5,583,122	1 - 507			R, 106
1	06/06/85	File Wrapper for US Patent No. 4,761,406		DX 1	X	
9		Handwritten Compound		DX 15		R, 106, H
17	12/07/05	Pharmaceutical Compositions Containing Geminal Diphosphonates		Zerby 33		H, R, 106
21	10/14/05	Notice of Rule 30 (b)(6) Deposition of Procter & Gamble Company		Brown 38	X	
22		Highlights of the P&G/HMR Risedronate Agreement		Brown 40		R, H, 106
23		Impact of Direct-to-Consumer Advertising on Prescription Drug Spending		Brown 51		A, H
24		Financials- Sum of Expenses; Royalty Payments to Merck for OAW; US Primary and Secondary Calls per CBD database		Brown 62	X	
25		Third Preliminary Motion by Benedict et. al Under 37 C.F.R. 1.633 (c), to designate claims as not corresponding	included in JTX 4	DX 100		106
26		Fourth Preliminary Motion by Benedict et. al Under 37 C.F.R. 1.633 (c), to designate claims as not corresponding	included in JTX 4	DX 101		106

DTX No.	Date of Doc.	Description	Bates Range	Depo. Ex. No.	Procter & Gamble Objections	
					No Obj	Obj Basis
27		Final Hearing , May 12 1993 (Interference No. 102,399) – Benedict et al v. Bosles et al.	included in JTX 4	DX 102		106
29		Special Products Group Report: R&D Report		DX 104	X	
30		Correspondence from K. W. Buckingham to Distribution Re Agenda and Data Summaries for New Diphosphonates Selection Meeting, 2/17/86	PG 0069014-0069035	DX 105	X	
32		Correspondence from K. W. Buckingham to Distribution Re Agenda and Data Summaries for New Diphosphonates Selection Meeting, 2/17/86	PG 0066836-0066873	DX 107	X	
33		Interim Report No. 11- Comparative I.V. Toxicity of Bisphosphonates (NE-58018) in Rats: A Screen	PG 0057030-0057085	DX 108	X	
34		Interim Report No. 2 Comparative I.V. Toxicity of Biphosphonates (NE-58019) in Rats: A Screen	PG 0057086-0057146	DX 109	X	
36		Article by E.R. Van Beek et al. titled, "Binding and Antiresorptive Properties of Heterocycle-Containing Bisphosphonate Analogs: Structure-Activity Relationships U.S. Patent No. 4,072,746		DX 115		H, A
43					X	
44		U.S. Patent No. 4,057,636			X	
45		U.S. Patent No. 4,004,012			X	
46		U.S. Patent No. 3,928,369			X	
47		U.S. Patent No. 3,591,584			X	

DTX No.	Date of Doc.	Description	Bates Range	Depo. Ex. No.	Procter & Gamble Objections	
					No Obj	Obj Basis
48		U.S. Patent No. 3,225,054			X	
49		U.S. Patent No. 3,163,654			X	
52		Sigmar GroBman, Ulrich Moser, and Ernst Mutschler, Synthese Und Pharmakologische Priefing von Pyridin-Analoga des Fentanyl's, Arch. Pharmazie 31 1: 1010; 1015 (1978)				106, H, A
74		W.K. Sietsema et. al., Anti-resorptive dose-response relationships across three generations of bisphosphonates, Drugs under Experimental and Clinical Research 15(9):389-396 (1989)				H, A
76		UK Patent Application GB 2 118 042 A				H, A
84		Norwich Division Product Development Biweekly Report: New Bisphosphonate Toxicology Program – New Compound Screening	PG 0034091		X	
94		Handwritten Doc: Adult Rat Hepatocyte –In Vitro Toxicity	PG 10753 – PG10756		X	
109		Interdepartmental Correspondence from K.E. Buckingham to Distribution Re Agenda and Data Summaries for New Diphosphonate Selection Meeting, 2/17/86	PG 66836 - PG 66874		X	
114		Internal Correspondence from A.D. Geddes to Distribution Re Two issues regarding diphosphonates	PG 76986 - PG 76988		X	
125		Dr. Jesse David CV				R, H, A
132		Marketing Plan Presentation	PGK00013626 - PGK00013714	DX 137	X	

DTX No.	Date of Doc.	Description	Bates Range	Depo. Ex. No.	Procter & Gamble Objections	
					No Obj	Obj Basis
134		Dr. Lenz CV				R, H
144	12/03/85	Sietsema et al., titled " Antirersorptive Dose -Response Relationships Across Three Generations of Bisphosphonates	PG 0067094-0067115	DX 112		
150	04/04/89	Special Report: The Design and Synthesis of Third Generation of Bisphosphonates	PG 0045556-45570			H, A
207	12/12/00	SDG External Review of Procter & Gamble's Pharmaceuticals Business	PGK 00010644-10792			
301		Demonstrative- Chemical Structure of Geminal Bisphosphonates				
302		Demonstrative- Chemical Structure of Geminal Bisphosphonates				
303		Demonstrative- Risedronate				
304		Demonstrative- Etidronate				
305		Demonstrative- Bisphosphonates Used Clinically Before 1985				
306		Demonstrative- Claim 15 of the '406				
307		Demonstrative- 2-pyr-EHDP and 3-pyr-EHDP (risedronate)				
308		Demonstrative- '122 Patent Claims at Issue				
309		Demonstrative- Claim 15 of the '406 Patent and Claim 4 of the ' 122 Patent				
310		Demonstrative- Medicinal Chemists Make and Test All 3 Positional Isomers				
311		Demonstrative- Claim 15 of the '406 Patent and Claim 16 of the '122 Patent				

DTX No.	Date of Doc.	Description	Bates Range	Depo. Ex. No.	Procter & Gamble Objections	
					No Obj	Obj Basis
312		Demonstrative- Claim 15 of the '406 Patent and Claim 23 of the '122 Patent				
313		Demonstrative- Potency Data for 3-pyr- EHDP from P&G Screening Tests				

R = Lacks Relevance

H = Hearsay (FRE 802)

106 = Partial Document/Lacks Context or Foundation (FRE 106)

A = Lacks Authentication (FRE 901)